

1614
Hew

[255] Attorney Docket No. : AGI-127US

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David A. Brown and Daniel B. Yarosh
Serial No. : 10/070,466
Filed : March 7, 2002
For : COMPOSITIONS AND METHODS FOR
MODIFICATION OF SKIN LIPID CONTENT
Examiner : R. Cook
Group : 1614

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that the following correspondence attached hereto is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

1. Supplemental Information Disclosure Statement (2 pages with attached Supplementary Partial EP Search Report)
2. Supplemental Modified 1449 Form (2 page)
3. Cited Reference (12 references)
4. Certificate of Mailing (1 page; this page)
5. Return Receipt Postcard (1 card)

Date Mailed:

October 19, 2004

10/19/04
Date Signed

Maurice Klee
Maurice M. Klee, Ph.D.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David A. Brown and Daniel B. Yarosh
Serial No. : 10/070,466
Filed : March 7, 2002
For : COMPOSITIONS AND METHODS FOR
MODIFICATION OF SKIN LIPID CONTENT
Examiner : R. Cook
Group : 1614

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with 37 CFR §1.56, 37 CFR §1.97(c)(1), and 37 CFR §1.97(e)(1), applicants wish to call the Examiner's attention to References 60-71 listed on the Supplemental Modified 1449 Form submitted herewith. Copies of these references are enclosed.

The undersigned certifies that each of References 60 and 62-71 was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, i.e., in a July 19, 2004 Supplementary Partial European Search Report regarding applicants' corresponding European Application No. 00 96 1668. Pursuant to §609 A(3) of the MPEP, a copy of the EPO's July 19th search report, which sets forth the degree of relevance of the references found by the EPO, is attached hereto. The remaining references of this search report have previously been made of record in this application. Based on the Annex to the European Search Report, an English language patent publication corresponding to Reference 65 has been obtained and is enclosed (Reference 61).

No fee under 37 CFR §1.17(p) is believed to be due for this submission. However, if a fee is required, applicants request that the fee be charged to Deposit Account No. 11-1158.

The Examiner is respectfully requested to initial a copy of the Supplemental Modified 1449 Form and return it to applicants to indicate consideration of the references listed thereon in connection with the prosecution of this application.

Respectfully submitted,

Date: 10/19/04

Maurice Klee

Maurice M. Klee, Ph.D.

Reg. No. 30,399

Attorney for Applicant

1951 Burr Street

Fairfield, CT 06824

(203) 255-1400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David A. Brown and Daniel B. Yarosh
Serial No. : 10/070,466
Filed : March 7, 2002
For : COMPOSITIONS AND METHODS FOR
MODIFICATION OF SKIN LIPID CONTENT
Examiner : R. Cook
Group : 1614

SUPPLEMENTAL MODIFIED 1449 FORMU.S. PATENT DOCUMENTS

<u>Examiner Initial</u>		<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
_____	60.	5,147,859	9/15/1992	Bombardelli, et al.
_____	61.	6,207,711	3/27/2001	Matsumoto et al.

FOREIGN PATENT DOCUMENTS

<u>Examiner Initial</u>		<u>Document Number</u>	<u>Date</u>	<u>Country</u>
_____	62.	EP 1 013 268	6/28/2000	EP

OTHER ART

<u>Examiner Initial</u>		
_____	63.	Database Chemabs Online, Chemical Abstracts Service Columbus, Ohio, US; Fedeli et al., "Oleanolic acid activity in topical preparations," XP002285092.

- _____ 64. Patent Abstracts of Japan, vol. 0172 no. 25, 10 May 1993, JP4-360832 (Asahi Chem Ind Co.) 14 December 1992.
- _____ 65. Patent Abstracts of Japan, vol. 1997, no. 10, 31 October 1997, JP9-143050 (Pola Chem Ind Inc.) 3 June 1997.
- _____ 66. Patent Abstracts of Japan, vol 1999, no. 03, 31 March 1999, JP10-316555 (Shionogi) 2 December 1998.
- _____ 67. Patent Abstracts of Japan, vol. 1999, no. 12, 29 October 1999, JP11-199467 (Nonogawa Shoji KK) 27, July 1999.
- _____ 68. Bombardelli, E. "Phytosome: new cosmetic delivery system," Bollettino Chimico Farmaceutico, December 1991, vol. 130, no. 11, pages 431-438.
- _____ 69. Le Bang Son et al., "Liposomal form of betulinic acid, a selective apoptosis inducing in melanoma cells substance,": Journal of Liposome Research, Marcel Dekker, NY, vol. 8, no. 1, February 1998, Page 78.
- _____ 70. Suk Kyo Han et al, "Oleanolic acid and ursolic acid stabilize liposomal membranes," Lipids, Champaign, IL, vol. 32, no. 7, 1997, pp 769-773.
- _____ 71. Yarosh et al., "Liposomal ursolic acid (merotaine) increases ceramides and collagen in human skin," Hormone Research, 2000, 54:318-321.